



16367 U.S. PTO

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	ADPL:002
First Inventor	Marcus L. Thuesen et al.
Title	Advertising Inserts ...
Express Mail Label No.	EK776390441US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 28]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Sheets 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Transmittal Letter (2 pages) .....  
Check (\$786.00) .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: 39456 OR ☒ Correspondence address below

Name	Keith B. Willhelm		
Address	Attorney at Law 6266 Del Monte		
City	Houston	State	Texas
Country	U.S.A.	Telephone	(832) 656-3853
		Zip Code	77057
		Fax	(832) 251-3853

Name (Print/Type)	Keith B. Willhelm	Registration No. (Attorney/Agent)	31,442
Signature	<i>Keith B. Willhelm</i>	Date	January 14, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

22581 U.S. PTO  
10/757152

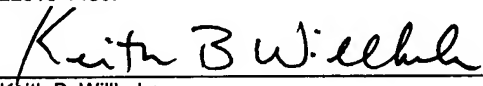
011404

**Keith B. Willhelm**  
Attorney at Law

---

January 14, 2004

FILE: ADPL:002

<p style="text-align: center;">CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10</p> <p>MAILING LABEL NO. EK776390441US</p> <p>DATE OF DEPOSIT: January 14, 2004</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above with postage prepaid and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p> Keith B. Willhelm</p>
--

**Via Express Mail: Label No. EK776390441US**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application Entitled: Advertising Inserts for Fortune Cookies and Methods for Their Dissemination*  
*Applicants: Marcus L. Thuesen and Lejo C. Brana*

Sir:

Transmitted herewith for filing are:

- (1) Utility Patent Application Transmittal Form;
- (2) 28-page patent specification with 41 claims and an abstract;
- (3) 26 figures on 8 sheets of drawings (in triplicate);
- (4) Declaration;
- (5) Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney;
- (6) Assignment;
- (7) Recordation Form Cover Sheet;
- (8) Nonpublication Request Under 35 U.S.C. § 122(b)(2)(B)(i); and
- (9) Our check in the amount of \$786.00 in payment of the fees listed below.

## Keith B. Willh Im

Commissioner for Patents

January 14, 2004

Page 2

### FILING FEE CALCULATION

FOR		Small Entity		Large Entity	
Total Claims	41 - 20 = 21	x \$ 9 =	\$ 189.00	x \$ 18 =	\$ 0.00
Independent Claims	7 - 3 = 4	x \$ 43 =	\$ 172.00	x \$ 86 =	\$ 0.00
Multiple Dependent Claim(s)		+ \$145 =	\$ 0.00	+ \$290 =	\$ 0.00
Basic Fee:		+ \$385 =	\$ 385.00	+ \$770 =	\$ 770.00
Assignment Recording Fee:	(\$40 per property)	+ =	\$ 40.00	+ =	\$ 0.00
<b>TOTAL FEES</b>			<b>\$ 786.00</b>		<b>\$ 0.00</b>

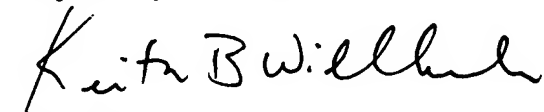
Pursuant to 37 C.F.R. § 1.10, Applicants request the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail.

Applicants, by their undersigned attorney and pursuant to 37 C.F.R. § 1.27(c), hereby assert their entitlement to small entity status and to the payment of reduced fees relative to the subject application.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason in connection with this application, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to the deposit account of applicant's attorney, Keith B. Willhelm, Attorney at Law, Deposit Account No. 501,435/ADPL:002.

Please date stamp and return the enclosed postcard to evidence receipt of these materials and forward any reply to this communication directly to me.

Respectfully submitted,



Keith B. Willhelm  
Reg. No. 31,442

Encl: As stated

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Marcus L. Thuesen *et al.*

Serial No.: TBA

Filed: Concurrently Herewith

For: ADVERTISING INSERTS FOR  
FORTUNE COOKIES AND METHODS  
FOR THEIR DISSEMINATION

Group Art Unit: TBA

Examiner: TBA

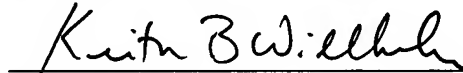
Atty. Dkt. No.: ADPL:002

**CERTIFICATE OF EXPRESS MAILING  
UNDER 37 C.F.R. § 1.10**

MAILING LABEL NO. EK776390441US

DATE OF DEPOSIT: January 14, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above with postage prepaid and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Keith B. Willhelm

**NONPUBLICATION REQUEST UNDER 35 U.S.C. § 122(b)(2)(B)(i)**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants, by their attorney and pursuant to 35 U.S.C. § 122(b)(2)(B)(i), hereby request that the subject application filed concurrently herewith not be published under 35 U.S.C. § 122(b).

I hereby certify that the invention disclosed in the subject application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

Applicants may rescind this nonpublication request at any time. If applicants rescind this request that the application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicants subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, applicants will notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Applicants further acknowledges that failure to do so will result in abandonment of this application pursuant to 35 U.S.C. 122(b)(2)(B)(iii).

Respectfully submitted,

Jan 14, 2004  
Date

Keith B. Willhelm  
Keith B. Willhelm, Reg. No. 31,442  
Attorney at Law  
6266 Del Monte  
Houston, Texas 77057  
(713) 780-9246  
(832) 656-3853  
(832) 251-3853 (fax)  
[kbw@willhelm.com](mailto:kbw@willhelm.com)

Attorney for Applicants